

1872-023 Chancery Causes: William P. Minter & Sons } vs. Mary Sharp &
Lee Co.

Minter, Thompson, Litton

CA-Debt

T-Property

To the Honorable Court of Lee County Virginia
in Chancery sitting

The bill of Complaint of
William P. Mintie William M. Mintie and
John S. Mintie late merchants and
partners in trade under the firm & style
of Wm. P. Mintie & Sons respectfully represents
that on the 22nd day of August 1860 they
obtained ^{a judgment} before James Persons a Justice of
the peace for said County against Jesse
Thorp & Mary Thorp his wife for the
sum of \$20.59 with interest thereon from
the 1st of February 1856 till paid &
30 cents costs, And on the same day and
year your orators also obtained another
judgment before the same Justice against

defendants to this
bill in its allegations and
statements upon oath. That
the said Benjamin F. Ansiver whether
he bona fide purchased from the
said Jesse his interest in the above
interest of the said Mary, if so shown
when and file an exhibit of his
and, also show the amount which
he contracted to pay the said Jesse

in said County and the same whereon the
said Jesse & Mary reside

Your orators are informed that some
time recently perhaps last summer the
said Jesse sold his interest in his said
wife's land to one Benjamin L. Thompson
Now this is, your orators do not know
but they are advised that be it as it
may it cannot affect the line of their
said judgments on the interest of the
said Jesse & Mary his wife to the
land mentioned, because the said land
is liable for the contracts of the said
Mary antecedent to her last marriage
besides your orators judgments were
obtained before the said Jesse made

the info in the 9th Sec

see } Bill

see } Mary Thack
} 10th Sec

the bill filed

at

Jan 12. Rice to 187. 18th Sec
Feb 12. Rice to 187. 18th Sec

1861 - Isaac & Mary Thack - land

1862 - Isaac & Mary Thack - land
1863 - Isaac & Mary Thack - land

1864 - Isaac & Mary Thack - land
1865 - Isaac & Mary Thack - land

1866 - Isaac & Mary Thack - land
1867 - Isaac & Mary Thack - land

1868 - Isaac & Mary Thack - land
1869 - Isaac & Mary Thack - land

1870 - Isaac & Mary Thack - land
1871 - Isaac & Mary Thack - land

To the Honorable Henry S. Morgan Judge of the
County Court of Lee County

The Amended ^{& supplementary} bill of William P. Minter, William
M. Minter and John S. Minter late merchants and
partners in trade under the firm and style of Wm.
P. Minter & Sons respectfully states that since the filing
of their original bill in this cause, the defendant Mary Sharp
has acquired by exchange of her claim land referred to
in the original bill, a certain tract of land which
she owns in fee simple, and which has been conveyed
to her by deed from Benjamin L. Thompson which
deed is herewith filed marked A, B. Your Petitioners
therefore suggest that inasmuch as the decree entered
in their favor is a lien on this land so acquired,
they therefore pray that this land be sold and
to pay the amount of your Petitioners claim with
costs, but should it appear that the sale will
not be sufficient to satisfy this claim within
five years then they pray that the same or a suffic-
ient thing be sold for the purpose, and grant
general relief.

Hogan & Pickens

Wm. P. Minnie & Sons

vs. { amended & Supplemental
Bill

May 1890

To The Worshipful County Court of
Lee County in Chancery sitting
The Answer of Andrew L. Litton to
a bill filed in This Court against
Wm. L. Lee & Mary Sharp & Benjamin
F. Thompson.

This respondent saving the
benefit of all just and proper excep-
tions to said bill for answer says,
that he presumes the statements and
allegations in said bill relative to
Complainant's claims are true.

This respondent claims a lien on the land
in the bill mentioned on two judg-
ments in his favor against his co-defen-
dant Jesse Sharp. One being for the
sum of \$18.15 with interest from 18th
January 1854 till paid & 30 cents costs
the other for the sum of \$34.48
with interest from 12th April 1855
till paid & 30 cents costs, upon which
judgments executions have been
issued and are returned "no effect"
by the officer and the same are
wholly unpaid. Said judgments executions & return
of officer ^{filed in book of Lee & Lee} are herewith given. Respondent is of opinion
that if any sale has been made by the
said Jesse Sharp of his interest in his
said wife's dower interest to Benjamin
F. Thompson as stated in Complain-
ant's bill it was a sham and
done for the purpose of hindering
delaying and defrauding creditors

John Reespt alleges That he obtained his
said judgments on the 27th February 1866.
That at this date the said Benjamin F.
Thompson had not purchased of the said
Lesse his interest in the said land,
that the said Benjamin F. knew of the
existence of Respondents said judgments
and if he made any purchase from
the said Lessee he has become a
purchaser with notice and is not pro-
tected by the Statute.

John Reespt prays that the interest of
the said Lessee in the above interest of
his wife may be sold. And Reespts judg-
ments satisfied according to priority of rights.
A. J. Lillon

A. J. Lillon

advs Answer

W. P. Minchin & Son

Exhibits filed

Wm P Miller & Sons
10

Ply

Indy

Lease & Mary Thorp & Co Depts }

This Cause came on this day to be heard
on the papers formally read and report
of Patrick Hogan Commissioner showing
that he has executed to Benjamin H Thompson
a deed for the land purchased by him
at a sale made under a decree in this
Cause. And said deed being inspected
is approved and report confirmed -
and the said Thompson has liberty to
withdraw said deed from the papers
in the Cause and the Cause is stricken
off the docket

Mr. P. Smith & Sons

of { Levee - Pine

Lessee & Mary Thorpe

Entered order Book page
184.

James W. Orr. Clerk.

Entered this Deed.

H. J. Morgan

Dec. 18-1872

Wm. P. Smith & Sons

P. } Decree

Lessee & Mary Thompson

Entered order Book page
181.

James W. Orr, Clerk.

Enter this decree

H. J. Morgan

Decr 17th 1872.

Purchased by Mary. and spent to the present
time of this court

Mrs P Minnie & Sons
against
May Tharp et al

Plffs {
Deft { May

~~by~~ This cause come on again this day
to be heard on the papers formerly read and
report of Sheriff Charles L Hamblin dated
February 20th 1872 and was argued by counsel

And there being no exception to said report the
same is confirmed. On consideration whereof the
Court deems it improper to sell the tract of land
to which the deft May Tharp has not obtained
a legal title. The Court therefore for the present
declines to enforce sale of this land but And
on further consideration it is ordered and
decree that the decree issued by the defendant
May Tharp at the institution of this suit, in
the land in the bill mentioned be sold for
the purpose of paying the plaintiff's claim.

The sale is directed to be made by the said
Sheriff at the front door of the Court house of
this county on some Court ^{day} on a credit of 1. 2 & 3
years bearing interest from date. except so much as
may be necessary to pay the costs shall be required
to be paid in hand. and the Sheriff will give
due notice of the time place and terms of the
sale. And only sell so much as may be necessary
to pay the amount of this decree. He will
report to this Court and the cause is continued

Mr. P. Minin & Sons

vs { Deceit

Mary Thorpe et al

Entered Order Book page 15
& 19.

James W Orr Clerk.

Enter this Deceit

H. Morgan

April 16-1872

William P. Smith & Son

Plff

against

May Sharp et al

Deft

In City

This cause came on again ~~again~~ This day to be heard on the papers formerly read and report of L. Hamblin Sheriff and was argued by counsel. And there being no exception to said report the same is confirmed.

Upon consideration whereof it is adjudged ordered and decreed that the said Sheriff Hamblin sell so much of the land in the Supplementor bill mentioned as may be necessary to pay the plaintiffs claim and costs. The sale is directed to be made at the front door of the Court house of this County on some Court day on a credit of 1, 2 & 3 years except so much as may be necessary to pay the costs shall be required to be paid in hand - due advertisement shall be given for 20 days before sale in the neighborhood where the land lies and at the front door of this Court house & the cause is continued.

Wm P Smith to acc

P. } Deane

Mary Sharp to acc

Entered Order Book page
484.

Jas H Orr Clerk

Enter this Deane

H J Morgan

Feb 20th 1872

Wm P Miller & Sons

against
May Sharp

Plffs

Deft

{ In ch

This cause came on again This day to be heard on the bill of the ~~plaintiffs~~ ^{proposers} formerly read the amended and Supplemental bill and report of C L Hamblett Sheriff and was argued by Counsel. And it appearing that the said Sheriff has not let the land mentioned in the original bill be being unable to get any one who would pay the plaintiffs claim for the use and occupancy of the land for the period of five years, and it appearing by the amended and Supplemental bill that the defendant May Sharp has exchanged the land mentioned in the original bill for the land ~~bill~~ mentioned in the amended and Supplemental bill which she now owns in fee simple. It is therefore ordered that the said Sheriff shall give due notice and rent the land mentioned in the bill of land now owned by said May Sharp for such period as will pay the plaintiffs claim provided the time will not exceed five years but if he is unable to demise it to pay the claim within five years he shall so report and the cause is continued.

John P. Printer & Sons

vs. { Deane

May Thorpe

Exister this Deane

H. J. Morgan

Aug 26 - 1871

Entered v. r. 354.

J. B. West, N. C. Ck.

Wm P Minter & Sons
against
Mary Thorp

Plff

Defts

In ch

This cause has this day come on again to be heard on the papers formerly read. And was argued by counsel. And it appearing to the Court that ~~that~~ William or Lorge Lot Sheriff of this County failed to execute the decree rendered in this cause, on consideration whereof it is adjudged & ordered that Charles L Hamblett Sheriff ^{of this County} execute the requirements of the former decree and report to this Court and the cause is continued

Wm. T. Hunter & Sons

as { Deere

Henry Sharp

Entered O.B. p 177.

Entered as Deere

W. Morgan

Entered as

Wm P Smith & Sons
against
Lesa & Mary Sharp et al

In ch

~~This cause came on this day to be~~ On
motion of the plaintiff this cause was placed
on the issue docket for trial, and thereupon
the same came on to be heard on the
bill of the plaintiff exhibits filed and
was argued by counsel - And it being
admitted in open court that the defendant
Lesa Sharp departed this life since the filing
of the bill, the suit as to him is therefore
abated. And it appearing to the court from
the exhibits filed that the plaintiff obtained
against the defendant and her deceased
husband in his lifetime the judgments in
the bill mentioned. - On consideration whereof
it is adjudged ordered and decreed that the plaintiff
recover against the defendant Mary Sharp \$11.96
with interest from the 19th of April 1855 till
paid also the further sum of \$20.59 with interest
from the 1st day of February 1856 and Sixty cents
costs - And it is further ordered that the Sheriff
of this county rent the land of the defendant in
the bill mentioned so long as may be sufficient
to satisfy a sum of money sufficient to
satisfy the plaintiff's claims & costs of
this suit. which money for said rents he is
directed to pay to the plaintiff. And
the cause is continued.

John D. Winter & Son

vs. { Leica

May Thorp.

Enter this Deceen

H. J. Morgan

Entered

J. B. West, Clk

Virginia

At a County Court continued and held for Lee County, at the Court house thereof, on Tuesday the 20th day of February 1872.

William P Minter & Sons

Plaintiffs

against

Mary Sharp et als

Defendants

In Chancery

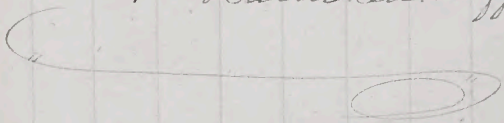
This cause came on again to be heard, on the papers formerly read, report of C. L. Hamblen Sheriff, and was argued by counsel, and there being no exceptions to said report, the same is confirmed. Upon consideration whereof it is adjudged, ordered and decreed that the said Sheriff Hamblen sell so much of the land in the supplemental bill mentioned as may be necessary to pay the plaintiffs claims and costs. The sale is directed to be made at the front door of the Court House of this County, on some court day, on a credit of 1, 2, & 3 years, except so much as may be necessary to pay the costs shall be required to be paid in hand, due advertisement shall be given for 20 days before sale in the neighborhood where the land lies, and at the front door of the Court House of Lee County, and the cause is continued.

A copy

Teste James W Orr. Clerk.

Wm P Minter & Sons
vs Copy of Decree
Mary Sharp et als

I accept legal service
of the within Decree
C. L. Hamblen, S. G. S.

For C. L. Hamblen, Sheriff


To the Honorable Henry J. Morgan Judge of the
County Court of Lee County,

The undersigned begs leave
to state that by a decree of your Honorable Court
he was as Sheriff of this County, appointed a commissioner
in the case of William P. Minter and Son vs Mary Thompson et al.
to sell certain lands in the bill mentioned, which in
pursuance, ~~and~~ and according to the provisions of
said decree, after advertising as therein, directed
on the first day of the June Term, 1872, he pro-
ceeded to sell the same by public outcry to the
highest bidder, when Benjamin A. Thompson
became the purchaser, at the price of \$5.10 per
acre, and there being twenty acres the sale amounted
to \$102.00 out of this sum your commissioner re-
quired a sufficient sum to be paid down to
pay the costs of suit to wit the sum of \$47.64 after
which he took the said Thompson's notes with
Samuel N. Minter his security, in three annual
installments, due one two and three years
bearing interest from date - Your commissioner
deems it proper to say that the sale was
perhaps as good as could be made, the widow
whose interest was sold, is now old and every
delay, will of course decrease the value of
said lands. All of which is respectfully
submitted -

Charles L. Hamblin Sheriff
and special commissioner

July 5th 1872.

H P Winter & son
vs Commissioners
Deport No 1

Mary Sharp et al

1872 July 16th. Filed.

James W Orr. Clerk.

Wm P Hunter & Son
against
May Sharp et al

Plff
seft } in leg

Your undersigned begs leave to state that after
due advertisement he offered for sale at the
front door of the Court-house ^{on the 1st day of Feb^y 1872} of this County
on the terms prescribed by a former decree the
land directed to be sold for the payment of
the plaintiff's claim. And he states that
the highest offer he got, was twenty dollars
which he deemed grossly inadequate and
did not therefore accept the same. Your
undersigned further reports that he finds
the defendant May Sharp has not the
legal title to the land offered for sale
and therefore suggests the impropriety of
selling the same in its present condition

Feb 20th 1872

Respectfully Submitted
C. L. Hamblen

S L C

Group Minutes & Ans

R. { Report

Mary Thorpe vol

Filed Feb 20 1872

Jas Warrick

M^r. P. Winter & Sons Pth

against
Lense & May Schoep et al, Depts } Indeg
Your undersigned Commissioner begs
leave to state that in obedience to a
a decree in this cause he has conveyed
by deed to Benjamin F. Thompson
the land purchased by him, under a sale
made in this cause, which deed is herewith
filed for inspection. Respectfully &c.

Patrick Hogan
Com

Wm P Martin & Sons

Co. { Retail

Lease & Mortgage Throptal

Filed Jan 1872

Jas W Orr, Clerk.

William P. Smith & Sons.

Plff

against
Mary Sharp et al

Def

In tely

Yam undesignee sheriff of Lee county
begs leave to report that he has
appeared for rent after due notice the
land now owned by the defendant
but no one would agree to give
so much as the plaintiff claim & costs
for the use and occupation of the land
for the period of five years, Jan'y 3rd
1872

C. L. Hamblen A. G.

Mr. P. Smith & Sons

to Report

Tray Thorpe & Co

Filed Jan 30th 1872

John W. Orr. clk.

Mrs. J. D. Frinton & Sons

P. M.

against
Mary Sharp

Sept.

In of

Yours undersigned begs leave to state
that in obedience to a decree and order
in this cause he gave due notice
that he would rent and to farm
up the land mentioned in the bill
in this cause and attended on the
time and place pursuant to said
notice but no one would pay the
plaintiffs claim for the use and
occupation of the land for the
period of five years. So no further
action has been taken by him.
15th April 1877

A. S. Hornblow Esq. & Co.

Prof. Winter & Sons

vs { Reinstated
Hampden

May 1871

Filed Apr 1871

for Wm. L. C.

Received of C. L. Hamblen S. L. C. Forty two dollars & thirty seven
Cents, the costs taxed in the chancery cause of Wm. P. Hunter & Son
vs Mary Sharp et al. for which I sold land. Oct 4th 1872.

William P. Hunter Recd
for S. L. Hunter

Wm. P. Minter & Sons
vs. Recpt of S. H. Minter
Mary Sharp et al

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Jessie Sharp, Mary Sharp, Benjamin F. Thompson, and Andrew J. Sifton*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's Office, at Rules to be holden for the said court, on the *first* Monday in *February* next, to answer a bill in chancery, exhibited in our said court, against *them* by *William P. Minter John S. Minter and William M. Minter late merchants and partners in trade under the firm and style of William P. Minter & Sons:*

And have then there this writ. Witness, JOHN B. WEST, Deputy for SYLVESTER E. THOMPSON, Clerk of our said Court, at the Court House, this *22nd* day of *December* 1869, in the *94th* year of the Commonwealth.

John B. West D. Clerk

CH
William P. Minter & Sons

vs { Sp in Chy.

B. F. Thompson & Co

February Rules 1870

Executed

Wm. W. Hayes & Co

The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON *Jesse Sharp and Mary Sharp* TO THE SHERIFF OF LEE COUNTY, Greeting:

to appear before the *Justice* *County* ~~Judge~~ of the ~~Circuit~~ Court for Lee county, at the Court-house, *on the 1st Monday*
in January 1861 to answer a bill in Chancery
exhibited in our said Court against *them* by *William J. Winter John S. Winter and*
William M. Winter late Merchants and Partners in Trade
under the firm and Style of William J. Winter & Sons,

And have then there this writ. Witness, *Henry J. Morgan* ~~S. W. S. MORISON~~, Clerk of our said Court, at the Court-house, this
7th day of *December* 1860, in the 85th year of the Commonwealth.

H. J. Morgan Clk
A copy Teste H. J. Morgan Clk

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY, Greeting:

WE COMMAND YOU TO SUMMON

Jose Sharp and Mary Sharp

to appear before the ^{Justice} ~~Judge~~ of the ^{County} ~~Sherrif~~ Court for Lee county, at the Court-house, *on the 1st Monday*
in January 1861 to answer a bill in Chancery

exhibited in our said Court against *them* by *William P. Winter John S. Winter*
and William M. Winter late Merchants and partners in trade
under the firm and Style of William P. Winter & Co

And have then there this writ. Witness, *Henry J. Morgan*
J. W. MORRISON, Clerk of our said Court, at the Court-house, this
7th day of *December* 1860, in the *8th* year of the Commonwealth.

H. J. Morgan

Wm J. Winter, Secy

of Spain Lky

Jesse Thayer wife

Jan'y Rule 1861

This Spec was corrected
by issuing a new one
before leaving the
office

H. Morgan, Secy

The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON

TO THE SHERIFF OF LEE COUNTY, Greeting:

John Sharp and Mary Sharp

to appear before the ^{Justices} ~~Judge~~ of the ^{Circuit} ~~Circuit~~ Court for Lee county, at the Court-house, *on the 1st Monday*

in January 1861 to answer a bill in Chancery
exhibited in our said Court against *them* by *William A. Winter John S. Winter*
and William W. Winter late Merchants and partners in
trade under the name and style of William A. Winter & Sons

And have then there this writ. Witness, *Henry J. Morgan* ~~J. W. MORISON~~ Clerk of our said Court, at the Court-house, this

7th day of *December*

1860, in the 85th year of the Commonwealth.

H. J. Morgan C.C.
A Copy Teste, H. J. Morgan C.C.